

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-19 are pending in the present application. Claims 1, 9, 10, and 15-19 are the independent claims.

Applicants gratefully acknowledge the courtesies extended to their undersigned representative during the personal interview conducted on August 24, 2004. During the interview, the Office's interpretation of the independent claims was discussed. The outstanding rejections of the claims were discussed in conjunction with the applied art (U.S. Patent No. 4,756,587 (Sano et al.) and U.S. Patent No. 5,117,470 (Inoue et al.)).

The Office Action objected to various claims on formal grounds. By the present Amendment, Applicants have amended the objected to claims in the manners kindly suggested by the Examiner. Favorable consideration is respectfully requested.

Claims 1, 9-12, and 15-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,756,587 (Sano et al.). Claims 1-4, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,117,470 (Inoue et al.) in view of Sano et al. All rejections are respectfully traversed.

Regarding the § 102 rejection of independent claims 1, 9, 10, and 17-19, amended claims 1, 9, 10, and 17-19 now recite that an optical coupling part physically connects optical elements. Sano et al., in contrast, does not teach that the first waveguide 1 and either of waveguides 2 or 3 are physically connected. (Sano et al., FIGS. 6A, 6B, and 10).

Regarding the § 102 rejection of independent claims 15 and 16, amended claims 15 and 16 now recite that an optical element formed on the substrate guiding light which is radiated or leaking from the optical coupler to an end of an outside face of the substrate. Sano et al., in contrast, shows various waveguides (1-5) on a substrate 13 and that these waveguides do not extend to an end of an outside face of the substrate. Instead the Sano et al. waveguides are merely outside of the substrate. (See e.g., Sano et al., FIGS 6A and 6B).

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 9, 10, 15, and 16-19 under 35 U.S.C. § 102 are respectfully requested.

Regarding the § 103 rejection of claim 1, amended independent claim 1 recites that an optical coupling part physically connects the optical elements. The Office Action contends,

citing FIG. 32 for support, that optical waveguide 61 is a first optical element, amorphous silicon stress applying film 68a is a second optical element, and that directional coupler 65a is coupling part. (Office Action, page 4). However, even assuming arguendo that the Office's contention is correct, the directional coupler 65a does not physically connect the first and second optical elements. (Inoue et al., Fig. 32). And, as explained above, the secondary citation to Sano et al. also fails to teach or suggest this feature.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1 under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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